

AMENDED IN ASSEMBLY JUNE 12, 2013

AMENDED IN SENATE MAY 14, 2013

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 339

Introduced by Senator Cannella

(Principal coauthor: Assembly Member Gray)

February 20, 2013

An act to add Section ~~25536.3~~ 25536.4 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 339, as amended, Cannella. Counties: disposition of real property.

Existing law authorizes the board of supervisors of a county to sell or lease any real property belonging to the county, as specified, provided that the board complies with certain procedural requirements. Existing law authorizes the board to enter into a lease, concession, or managerial contract involving county owned, leased, or managed property for specified purposes without otherwise complying with the existing procedural requirements.

This bill would additionally authorize ~~a county~~ *the County of Merced* to sell or enter into a lease, concession, or managerial contract involving a specified area of county property that ~~the county has~~ *it* acquired from the federal government due to the closure of a former military base, without complying with the existing procedural requirements referenced above, ~~in accordance with conditions prescribed in the bill.~~ *as specified.*

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Merced.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~25536.3~~ 25536.4 is added to the
2 Government Code, to read:
3 ~~25536.3:~~
4 25536.4. (a) In addition to the authority provided for in Section
5 25536, and in accordance with subdivision (b), ~~a county, the~~
6 County of Merced by a four-fifths vote of the board of supervisors,
7 may sell, or enter into a lease, concession, or managerial contract
8 involving a specified area of county property that the county has
9 acquired from the federal government due to the closure of a
10 military base, without otherwise complying with this article.
11 (b) The board shall ~~only~~ take an action specified in subdivision
12 (a) *only* if the following conditions are met, or if the board makes
13 a finding in a noticed public hearing that the following conditions
14 were met at the time the property was acquired from the federal
15 government:
16 (1) Reuse of the property is governed solely by the county.
17 (2) The county has prepared and adopted a general or specific
18 plan pursuant to Article 5 (commencing with Section 65300) of
19 Chapter 3 of Division 1 of Title 7 and has adopted a zoning
20 ordinance for the area, and the proposed use is consistent with that
21 general or specific plan and the zoning ordinance.
22 (3) The airport land use commission has prepared and adopted
23 a comprehensive airport land use plan for the area pursuant to
24 Article 3.5 (commencing with Section 21670) of Chapter 4 of Part
25 1 of Division 9 of the Public Utilities Code, and the proposed use
26 is consistent with that plan.
27 (4) The county has complied with Article 8 (commencing with
28 Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and
29 Section 65402 with regard to the property, as provided in Section
30 ~~23501.1.~~ 25350.1.
31 (5) The county has given notice pursuant to Section 6062a and
32 posted the notice in the office of the county clerk. The notice shall
33 specify the date that the board determines that any of the affected
34 property shall be subject to this section, and shall include all of
35 the following:

1 (A) A description of the property proposed to be sold, leased,
2 or subject to a concession or managerial contract pursuant to this
3 section.

4 (B) The proposed terms of the sale, lease, concession, or
5 managerial contract.

6 (C) The location where offers will be accepted and executed.

7 (D) The telephone number and address of the county officer
8 responsible for executing the sale, lease, concession, or managerial
9 contract.

10 (c) *This section shall not be construed to release the County of*
11 *Merced from complying with Chapter 9 (commencing with Section*
12 *34191.1) of Part 1.85 of Division 24 of the Health and Safety Code,*
13 *if the property is located in a former redevelopment area.*

14 *SEC. 2. The Legislature finds and declares that a special law*
15 *is necessary and that a general law cannot be made applicable*
16 *within the meaning of Section 16 of Article IV of the California*
17 *Constitution because of the unique needs of the County of Merced*
18 *relative to the disposition of the property acquired by the county*
19 *from the federal government pursuant to the closure of Castle Air*
20 *Force Base.*